

REMARKS

To further prosecution of the present application, Applicant has amended herein claims 1, 6, 9-15, 18-19 and 21, and has cancelled herein claims 2-5, 7-8, 20, and 22-27, as provided below. In addition, Applicant has added herein new claims 28-39 to the present application. Claims 1, 6, 9-15, 18-10, 21 and 28-30 are currently pending with claims 1, 21 and 30 being in independent form. Applicant respectfully requests reconsideration.

In addition, as requested above, Applicant has amended herein the specification of the present application to include the text of page 16 and to correct typographical errors in page 12, lines 8-17. Applicant respectfully requests such amendments to the specification be entered into the record.

Rejection of Claims 1-6 and 13-27 Under 35 U.S.C. § 102(b)

Claims 1-6 and 13-27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,557,619 to DeVincentis (“DeVincentis”). Claims 2-5 and 22-27 have been cancelled from the present application in accordance with the foregoing amendments. Applicant respectfully traverses the rejection of claims 1, 6 and 13-21 under 35 U.S.C. § 102(b) as noted above for the following reasons.

Claim 1 has been amended and is patentably distinguishable from a hairbrush and aerosol spray assembly disclosed by DeVincentis because DeVincentis does not teach each and every element of the fluid dispensing brush of claim 1. More specifically, DeVincentis does not teach the limitation to *an enclosed fluid reservoir configured to maintain a quantity of fluid under pressure and an enclosed gas pressure cartridge operatively connected to a proximal end of the fluid reservoir such that a first interior chamber defined within the fluid reservoir and a second interior chamber defined within the gas pressure cartridge are in fluid communication when the fluid reservoir and the gas pressure cartridge are operatively connected*. For at least this reason, DeVincentis does not anticipate the brush of claim 1.

Therefore, claim 1 is patentably distinguishable over DeVincentis. Accordingly, the rejection of claim 1 under 35 U.S.C. § 102(b) should be withdrawn.

Claims 6 and 13-20 depend from claim 1 and are patentable for at least the reasons give above.

In addition, independent claim 21 has been amended and is patentably distinguishable from a hairbrush and aerosol spray assembly disclosed by DeVincentis because DeVincentis does not teach each and every element of the fluid dispensing brush of claim 21. More specifically, DeVincentis does not teach the limitation to *first means contained within the second chamber to contain a quantity of fluid, and second means contained within the second chamber to apply pressure to the quantity of fluid wherein said means is operatively connected to said means to contain a quantity of fluid.*

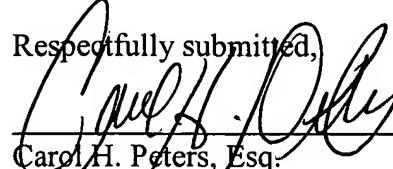
Therefore, claim 21 is patentably distinguishable over DeVincentis. Accordingly, the rejection of claim 21 under 35 U.S.C. § 102(b) should be withdrawn.

Rejection of Claim 7-9 and 11 Under 35 U.S.C. § 103(a)

Claims 7-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over DeVincentis in view of U.S. Patent No. 3,602,601 to Zenger el al. ("Zenger"). In addition, claim 11 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over DeVincentis. Claims 7-8 have been cancelled from the present application in accordance with the foregoing amendments. Applicant traverses the rejection of claims 9 and 11 under 35 U.S.C. § 103(a). Claim 9 depends from claim 1 and is patentable over DeVincentis in view of Zenger for at least the reasons given above with respect to claim 1. In addition, claim 11 depends from claim 1 and is patentable over DeVincentis for at least the reasons given above with respect to claim 1. The rejection of claims 9 and 11 under 35 U.S.C. § 103(a), therefore, should be withdrawn.

Based upon the foregoing amendments and discussion, the present application is believed to be in condition for allowance, and an action to this effect is respectfully requested. Should the Examiner have any questions concerning this response, the Examiner is invited to telephone the undersigned.

Respectfully submitted,



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